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COMMISSION ON HUMAN RIGHTS
Fifty-fourth session
Agenda item 4

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

Algeria*, Bahrain*, Bangladesh, Cuba, Democratic People's Republic of Korea*, Egypt*, Indonesia, Jordan*, Kuwait*, Lebanon*, Mauritania*, Morocco, Oman*, Qatar*, Saudi Arabia*, Sudan, Syrian Arab Republic*, Tunisia, United Arab Emirates* and Yemen*: draft resolution

1998/... Human rights in the occupied Syrian Golan

The Commission on Human Rights,

Deeply concerned at the suffering of the Syrian citizens in the occupied Syrian Golan due to the violation of their fundamental and human rights since the Israeli military occupation of 1967,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also all relevant General Assembly resolutions, including the latest, resolution 52/68 of 10 December 1997, in which the Assembly, inter alia, called upon Israel to comply with Security Council resolution 497 (1981), to put an end to its practices violating the rights of the Syrian citizens in the occupied Syrian Golan and to put an end to its occupation of the occupied Syrian Golan,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Reaffirming once more the illegality of Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming the principle of non-acquisition of territory by force in accordance with the Charter of the United Nations and the principles of International Law,

Taking note with deep concern of the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/52/131/Add.2) and, in this connection, deploring the Israeli settlement in the occupied Arab territories and regretting Israel's constant refusal to cooperate with and to receive the Special Committee,

Guided by the relevant provisions of the Charter of the United Nations, international law and the Universal Declaration of Human Rights, and reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and the relevant provisions of the Hague Conventions of 1899 and 1907, on the occupied Syrian Golan,

Reaffirming the importance of the peace process which started in Madrid on the basis of Security Council resolutions 242 (1967), 338 (1973) and 425 (1978) and the principle of land for peace, which aims at the establishment of a just and comprehensive peace in the Middle East,

Expressing its concern about the stoppage of the peace process on the Syrian and Lebanese tracks, and hoping that the commitments and guarantees reached during the previous talks will be respected in order that the talks may resume as soon as possible on both tracks,

Reaffirming its previous relevant resolutions, the most recent being resolution 1997/2 of 26 March 1997,

1. Calls upon Israel, the occupying Power, to comply with the relevant resolutions of the General Assembly and of the Security Council, particularly resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan is null and void and without international legal effect, and demanded that Israel should rescind forthwith its decision;

2. Also calls upon Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan, and emphasizes that the displaced persons of the population of the occupied Syrian Golan must be allowed to return to their homes and to recover their properties;

3. Further calls upon Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan and to desist from its repressive measures against them, and from all other practices mentioned in the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories;

4. Determines that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect;

5. Calls once again upon Member States not to recognize any of the legislative or administrative measures and actions referred to in the present resolution;

6. Requests the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations organs, the specialized agencies, regional intergovernmental organizations and international humanitarian organizations and to give it the widest possible publicity, and to report to the Commission on Human Rights at its fifty-fifth session;

7. Decides to include in the provisional agenda of its fifty-fifth session, as a matter of high priority, the item entitled "Question of the violation of human rights in the occupied Arab territories, including Palestine".